



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LHE:GK/JRS/DL
F. #2018R01401

*271 Cadman Plaza East
Brooklyn, New York 11201*

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By Email and ECF

Julia Gatto, Esq.
Steptoe & Johnson
1114 Avenue of the Americas
New York, NY 10036
212-506-3900
jgatto@steptoe.com

Jenny Kramer, Esq.
ALSTON & BIRD
90 Park Avenue
New York, NY 10016
+1 212 210 9420
Jenny.Kramer@alston.com

Reid Henry Weingarten, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
202-429-3000
rweingarten@steptoe.com

Counsel for Rachel Cherwitz

Counsel for Nicole Daedone

Re: United States v. Rachel Cherwitz and Nicole Daedone
Criminal Docket No. 23-146 (DG)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery is being produced to you pursuant to the Protective Order in the above-captioned matter, entered on June 26, 2023. ECF Dkt. No. 26. A subset of the records herein was provided by individuals whose identities will be disclosed to counsel separately or whose identities have been previously disclosed to counsel.

I. The Government's Discovery

A. Documents and Tangible Objects

- Documents, audio files, videos, and other media related to OneTaste courses, operations, and publicity, a subset of which may contain statements of either one or both defendants, provided by Individual #22 (ONETASTE00173152 - ONETASTE00176941);

- Documents related to OneTaste refund policies and transactions (ONETASTE00176942 – ONETASTE00194919);
- Documents related to financial transactions made by Nicole Daedone, OneTaste, and affiliated organizations (ONETASTE00194920 – ONETASTE00205774);¹
- Documents related to OneTaste business operations (ONETASTE00205774 - ONETASTE00205875);
- Journals maintained by Individual #2 during his/her time at OneTaste (ONETASTE00205875 - ONETASTE00205891); and
- Documents related to OneTaste and miscellaneous additional materials, provided by Individual #2 (ONETASTE00205892 - ONETASTE00208541).

Please contact DupeCoop at dupecoop@mac.com and reference the above-captioned case to obtain a copy of the discovery. You may examine physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

The government renews its request for reciprocal discovery from the defendants. Please note that the defendants' obligations under Fed. R. Crim. P. 16(b) include identification of "all non-impeachment exhibits [the defendants] intend to use in their defense at trial, whether the exhibits will be introduced through a government witness or a witness called by a Defendant." United States v. Napout, No. 15-CR-252 (PKC), 2017 WL 6375729, at *7 (E.D.N.Y. Dec. 12, 2017); accord United States v. Smothers, No. 20-CR-213 (KAM), 2023 WL 348870, at *22 (E.D.N.Y. Jan. 20, 2023).

¹ The documents contained in ONETASTE00194921 are password protected; however, the password has not been provided to the government.

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact us.

Very truly yours,

BREON PEACE
United States Attorney

By: /s/ Lauren H. Elbert
Lauren H. Elbert
Gillian Kassner
Devon Lash
Jonathan Siegel
Assistant U.S. Attorney
(718) 254-7000

Enclosures

cc: Clerk of the Court (DG) (by ECF) (without enclosures)